

REMARKS

Upon entry of the amendments herein, claims 1, 3, 4, 7-12, 14, 15, 18-23, 25, 26, and 29-33, and 37-50 will be pending in the subject application and under consideration. Claims 1, 3, 4, 7-12, 14, 15, 18-23, 25, 26, and 29-33 have been amended, claims 34-36 have been cancelled, and new claims 37-50 have been added as shown on pages 2-15 of the Reply. Claims 2, 5, 6, 13, 16, 17, 24, 27, and 28 were cancelled previously. No new matter has been added.

Applicants' representative thanks Examiner Chankong for the courtesies extended during the telephonic interview conducted on July 12, 2011, during which the amended claims were discussed. The Examiner indicated that the independent claims as amended improved the overall clarity of the claims, and further indicated that at least the elements of the claims relating to provision of translation instructions or translation data via a data transfer session object may overcome the currently cited art, subject to an additional art search.

The Examiner also raised the possibility of a future restriction requirement given claims relating to direct two-device communication in addition to claims directed to the use of an intermediary component that facilitates communication between two devices. It is believed that the amendments to the independent claims herein incorporate sufficient common functionality between the independent claims to mitigate such a restriction requirement.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 8-12, 14, 18, 23, 25, 26, and 29-33 Under 35 U.S.C §112

Claims 8-12, 14, 18, 23, 25, 26, and 29-33 stand rejected under 35 U.S.C §112, first paragraph. In particular, the Examiner contends that “an interface that is independent of an operating system type and at least one peripheral type” and “instructions that are independent of operating system identification and peripheral identification” are not supported in the specification. The disputed recitations have been deleted from the claims herein.

Additionally, claim 30 is rejected for having contradictory amendment markings and for lack of antecedent basis for the term “instructions.” Claim 30 has been amended to address these concerns.

In view of these amendments, it is respectfully requested that this rejection be withdrawn.

II. Rejection of Claims 1, 3, 4, 7-12, 14, 15, 158-23, 25, 26, and 29-36 Under 35 U.S.C. §103

Claims 1, 3, 4, 7-12, 14, 15, 18-23, 25, 26, and 29-36 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Reed, *et al.* (US 6,345,288), in view of Hanson (US 6,148,346). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Reed, *et al.* and Hanson, individually or in combination, do not disclose or suggest all aspects set forth in the subject claims.

To reject claims in an application under § 103, an examiner must establish a prima facie case of obviousness. A prima facie case of obviousness is established by a showing of three basic criteria. First, there must be some apparent reason to combine the known elements in the fashion claimed by the patent at issue (*e.g.*, in the references themselves, interrelated teachings of multiple patents, the effects of demands known to the design community or present in the marketplace, or in the knowledge generally available to one of ordinary skill in the art). To facilitate review, this analysis should be made explicit. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP § 706.02(j). See also *KSR Int'l Co. v. Teleflex, Inc.*, 550 U.S. 398, 04-1350, slip op. at 14 (2007). The reasonable expectation of success must be found in the prior art and not based on applicant's disclosure. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)

Amended independent claim 1 recites, *a data object configured to be provided to a second computing device and enable the second computing device to access the universal data transfer interface to initiate a data transfer session between the first computing device and the second computing device by retrieval of a data transfer session object, from the universal data transfer interface, which enables the second computing device to:...receive data from the first computing device over a first data transfer protocol and translate data conforming to the data type based on a translation instruction or translation data of the data transfer session object.*

Reed, *et al.* does not disclose or suggest at least these aspects. Reed, *et al.* relates to a communications system that operates to transfer data, metadata, and methods from a provider computer to a consumer computer through a communications network. This communications system uses metadata and methods to permit processing of information by the consumer computer and combined control by the provider and consumer of the types and content of

information subsequently transferred (see Abstract). However, Reed, *et al.* is silent with regard to *retrieval of a data transfer session object, from the universal data transfer interface, which enables a second computing device to receive data from a first computing device over a first data transfer protocol and translate data conforming to the data type based on a translation instruction or translation data of the data transfer session object.*

Hanson does not cure these deficiencies. Hanson relates to a data communication system between various devices and operating systems across various types of networking systems. Hanson's data communication system includes a host computer system with a processor, at least one peripheral device, and a dynamic device driver for allowing two-way communication between the peripheral device and the host computer system (see Abstract). However, like Reed, *et al.*, Hanson is silent with regard to *retrieval of a data transfer session object, from the universal data transfer interface, which enables a second computing device to receive data from a first computing device over a first data transfer protocol and translate data conforming to the data type based on a translation instruction or translation data of the data transfer session object*, as set forth in amended independent claim 1.

Similarly, amended independent claim 8 recites, *send the data transfer session object to the second computing device, wherein the data transfer session object is configured to provide the second computing device with at least one of a translation instruction or translation data that enables the second computing device to receive data from the first computing device over a first data transfer protocol associated with the first computing device and to translate data conforming to the data type.* Neither Reed, *et al.* nor Hanson disclose or suggest at least these aspects, as discussed *supra*.

Likewise, amended independent claim 12 recites, *sending, by the data transfer session object, at least one of a translation instruction or translation data to the first computing device that enables the first computing device to receive data from the second computing device over a first data transfer protocol and translate data from the second computing device conforming to selected the data type.* As discussed above, Reed, *et al.* and Hanson fail to disclose or suggest at least these aspects.

Also, amended independent claim 19 recites, *sending to the second computing device, via the data transfer session object, at least one of a translation instruction or translation data that enables the second computing device to receive data from the first computing device over a first*

data transfer protocol associated with the first computing device and to translate data conforming to the data type. Reed, *et al.* and Hanson fail to disclose or reasonably suggest at least these elements, as noted above.

Similarly, amended independent claim 23 recites, *providing the first computing device with at least one of a translation instruction or translation data in accordance with second operations of the data transfer session object; and receiving, at the first computing device, data conforming to the selected data type from the second computing device over a first data transfer protocol, wherein the receiving includes employing at least one of the translation instructions or the translation data to receive and translate the data.* The cited references are silent regarding at least these aspects, as discussed *supra*.

Similarly, amended independent claim 30 recites, *providing the second computing device with one or more translation instructions of the data transfer session object that allow the second computing device to receive data from the first computing device over a first data transfer protocol associated with the first computing device and to translate data corresponding to the selected data type.* As discussed *supra*, Reed, *et al.* and Hanson are silent with regard to at least these aspects.

Moreover, amended claim 4 recites, *the data transfer session object further enables the second computing device to receive an initial lease duration parameter specifying a lease duration for which the data transfer session is valid.* The communications system of Reed, *et al.* does not specify a lease duration for which a data transfer session is valid, and consequently fails to disclose or suggest at least a data transfer session object that *enables a second computing device to receive an initial lease duration parameter specifying a lease duration for which the data transfer session is valid*, as provided in amended claim 4. Hanson is also silent regarding such an initial lease duration parameter.

Likewise, amended claim 10 recites, *the data transfer session object further includes an initial lease duration parameter specifying a lease duration for which the data transfer session is valid*, amended claim 14 recites, *retrieving, from the second computing device, an initial lease parameter defining a lease duration for which the data transfer session is valid*, amended claim 24 recites, *retrieving, in response to the executing the one or more first operations, a duration of an initial lease for the data transfer session*, new claim 44 recites, *determining a duration of a data transfer lease associated with the data transfer session and encoded in the data transfer*

session object, and new claim 49 recites, *determining a duration of a data transfer lease encoded in the data transfer session object*. Reed, *et al.* and Hanson fail to disclose or reasonably suggest at least these elements, as discussed *supra*.

Also, amended claim 7 recites, *the at least one of the translation instruction or the translation data enable the second computing device to convert the data from the first computing device from the first data transfer protocol to a second data transfer protocol associated with the second computing device*. Neither Reed, *et al.* nor Hanson disclose or suggest that the translation instruction or translation data of the data transfer session object described above can *enable the second computing device to convert the data from the first computing device from the first data transfer protocol to a second data transfer protocol associated with the second computing device*.

Similarly, amended claim 15 recites, *sending the first computing device one or more conversion instructions that allow the first computing device to convert the data from the second computing device from the first data transfer protocol to a second data transfer protocol associated with the first computing device*, amended claim 21 recites, *sending the second computing device one or more conversion instructions that allow the second computing device to convert the data from the first computing device from the first data transfer protocol to a second data transfer protocol associated with the second computing device*, amended claim 26 recites, *employing, at the first computing device, at least one of the translation instruction or the translation data to convert the data from the second computing device from the first data transfer protocol to a second data transfer protocol associated with the first computing device*, and amended claim 32 recites, *providing the second computing device with one or more conversion instructions of the data transfer session object that allow the second computing device to convert the data from the first computing device from the first data transfer protocol to a second data transfer protocol associated with the second computing device*. As discussed above, the cited references are silent regarding at least these elements.

Moreover, amended claim 20 recites, *negotiating, by the data transfer session object, the first data transfer protocol to be used for the data transfer session based on the selected data type*. Neither Reed, *et al.* nor Hanson disclose or suggest negotiation of a first data transfer protocol to be used for a data transfer session, much less that such instructions can be included in the data transfer session object set forth in amended independent claim 19, from which amended

independent claim 20 depends.

Likewise, amended claim 31 recites, *negotiating, by the data transfer session object, the first data transfer protocol to be used for the data transfer session based on the selected data type*, new claim 38 recites, *the data transfer session object further enables the second computing device to negotiate the first data transfer protocol to be used for the data transfer session based on selection of the data type from the set of data types*, new claim 41 recites, *executing, by the first computing device, one or more second operations included in the data transfer session object that negotiate the first data transfer protocol to be used for the data transfer session based on the selected data type*, and new claim 46 recites, *negotiating, by the data transfer session object, the first data transfer protocol to be used for the data transfer session based on the selected data type*. As discussed above, the cited references are silent regarding at least these aspects.

In view of at least the foregoing, it is respectfully submitted that Reed, *et al.* and Hanson, individually or in combination, do not disclose or suggest all elements of amended independent claims 1, 8, 12, 19, 23, and 30 (and all claims depending there from), and as such fail to render obvious the present application. It is therefore respectfully requested that this rejection be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [VPARP101US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,
TUROC & WATSON, LLP

/Brian Steed/
Brian Steed
Reg. No. 64,095

TUROC & WATSON, LLP
127 Public Square
57th Floor, Key Tower
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731